

112TH CONGRESS
1ST SESSION

H. R. 79

To amend title 38, United States Code, to provide certain abused dependents of veterans with health care.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2011

Ms. JACKSON LEE of Texas introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide certain abused dependents of veterans with health care.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dependent Care Act
5 of 2011”.

6 **SEC. 2. HEALTH CARE FOR CERTAIN DEPENDENTS WHO**

7 **ARE VICTIMS OF ABUSE.**

8 (a) **PROVISION OF HEALTH CARE.**—

1 (1) IN GENERAL.—Chapter 17 of title 38,
2 United States Code, is amended by adding at the
3 end the following new section:

4 **“§ 1787. Health care for certain dependents who are**
5 **victims of abuse**

6 “(a) IN GENERAL.—In accordance with section 1781
7 of this title, the Secretary shall provide health care to a
8 victim of abuse described in subsection (b) for physical
9 and mental injuries resulting from such abuse.

10 “(b) VICTIM OF ABUSE.—A victim of abuse described
11 in this subsection is an individual who—

12 “(1) is a spouse, child, or dependent parent of
13 a veteran who—

14 “(A) is enrolled to receive care under sec-
15 tion 1710 of this title; and

16 “(B) has been diagnosed with post-trau-
17 matic stress disorder or traumatic brain injury;

18 “(2) has been physically or psychologically
19 abused by the veteran described in paragraph (1), as
20 verified by the Secretary; and

21 “(3) is not—

22 “(A) eligible for medical coverage (other
23 than under this section) under a program of the
24 Federal Government or a State government; or

1 “(B) covered by a private medical insur-
2 ance policy.

3 “(c) MENTAL HEALTH.—The Secretary shall ensure
4 that health care provided under this section includes men-
5 tal health care as appropriate.”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions at the beginning of such chapter is amended
8 by inserting after the item relating to section 1786
9 the following new item:

 “1787. Health care for certain dependents who are victims of abuse.”.

10 (b) CONFORMING AMENDMENT.—Section 1781(a) of
11 such title is amended—

12 (1) in paragraph (3), by striking “, and” and
13 inserting a comma;

14 (2) in paragraph (4), by striking the semicolon
15 and inserting “, and”; and

16 (3) by inserting after paragraph (4) the fol-
17 lowing new paragraph:

18 “(5) a victim of abuse under section 1787 of
19 this title;”.

20 (c) REPORT.—Not later than 180 days after the date
21 of the enactment of this Act, the Secretary of Veterans
22 Affairs shall submit to the Committee on Veterans’ Affairs
23 of the House of Representatives and the Committee on
24 Veterans’ Affairs of the Senate a report addressing any
25 challenges or concerns of the Secretary in verifying phys-

1 ical or psychological abuse pursuant to section 1787(b)(2)
2 of title 38, United States Code, as added by subsection
3 (a).

4 (d) EFFECTIVE DATE.—The amendments made by
5 this Act shall take effect on the date that is 180 days
6 after the date of the enactment of this Act.

○